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**PATENT**

Serial No.: 10/619,251  
Filed: July 14, 2003  
Examiner:  
Art Unit:  
Applicant: Paul Chahine et al  
Title: FLEXIBLE LINER AIR GAP PIPE

Cincinnati, Ohio 45202

June 30, 2004

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231  
Sir:


REQUEST FOR DECISION ON PETITION TO MAKE SPECIAL

On September 22, 2003, applicant filed its Petition to Make Special. A copy of that Petition and of the return postcard with the U.S. Patent and Trademark Office receipt stamp is enclosed. Also enclosed is a copy of applicant's subsequently filed Information Disclosure Statement. Applicant has not received any action on that Petition, nor any action on the application.

Please act on the Petition.

Please advise status of this application.

Respectfully submitted,  
WOOD, HERRON & EVANS, L.L.P.

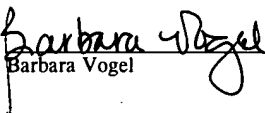
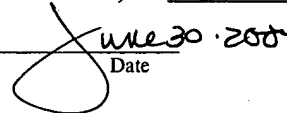
By:   
David S. Stallard  
Reg. No. 25,930

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
HON COMM FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450 **MAIL STOP: PATENT**  
(REQUEST FOR DECISION ON PETITION TO MAKE SPECIAL) on June 30, 2004

  
Barbara Vogel  
  
Date



**PATENT**

Serial No.: 10/619,251  
Filed: July 14, 2003  
Examiner:  
Art Unit:  
Applicant: Paul Chahine et al  
Title: FLEXIBLE LINER AIR GAP PIPE

Cincinnati, Ohio 45202

September 18, 2003

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

PETITION TO MAKE SPECIAL

Applicant petitions to make this application special under 37 CFR § 1.102 and MPEP 708.02

VIII. If it be determined that all claims are not directed to a single invention, applicant will make an election without traverse.

A pre-examination search was conducted in Class 138, subclasses 112, 113, 114, 131, 135 and 148.

Applicant has filed herewith an Information Disclosure Statement listing the patents located in such search. One copy of each of the patents is submitted herewith.

Of all the patents submitted, applicant submits that none of the patents teach or suggest the combined features or elements of the claimed invention. More particularly, none of them teach or suggest a bendable multiple wall air gap pipe comprising the combination of a rigid tube and an elongated profile member with rigid and flexible walls defined by those elements having unequal diameters and the air gap pipe being bendable on convention single wall tube bending apparatus, as recited in all the claims.


Applicant submits that one of the patents, U.S. Patent No. 3,908,372, is of more particular interest as perhaps most closely related to this application than the others cited. Nevertheless, there are specific differences between that disclosure and the claimed invention. Specifically, the respective functions are different, i.e. shielding environment in this case vs. retaining heat in the case of the device of the '372 patent. Secondly, the outer wall of the patent does not appear to be gas-tight. In fact, it is perforated so that it is open. So it does not constitute or relate to an air gap pipe as that term is used herein. Third, there is no disclosure that the conduit of the '372 patent is bendable on convention single wall tube bending apparatus. Moreover, the patent specifically states in column 1, lines 44-48 that the shield is put in place after the inner pipe is bent. See also column 2, line 22 in this regard.

Accordingly, applicant submits this application is in condition to be accorded SPECIAL STATUS and applicant petitions for such status.

The fee under 37 CFR § 1.17(h) is filed herewith.

The U.S. Patent and Trademark Office is authorized to satisfy any fee due in connection with any prosecution, allowance and grant of this application by charge to the undersigned's Deposit Account 23-3000.

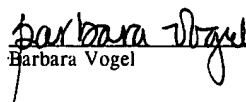
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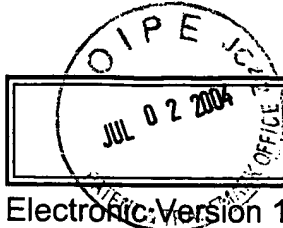
By:   
Gregory J. Lun, Reg. No. 29,945 for  
David S. Stallard, Reg. No. 25,930

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 Sept 18 03  
Barbara Vogel Date



UNITED STATES PATENT AND TRADEMARK OFFICE  
ACKNOWLEDGEMENT RECEIPT

Electronic Version 1.1

Stylesheet Version v1.1.1

Title of Invention	Flexible Liner Air Gap Pipe																									
Submission Type:	Information Disclosure Statement																									
Application Number:	10/619251	*10/619251*																								
EFS ID:	49252																									
Server Response:	<table border="1"><thead><tr><th>Confirmation Code</th><th>Message</th></tr></thead><tbody><tr><td>ISVR1</td><td>Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application</td></tr><tr><td>ICON1</td><td>7010</td></tr><tr><td>ISYS5</td><td>Filename= N/A BusinessRule= Validation System/Function Call Information. #Supporting Msg:Server unable to validate the Confirmaton/Application numbers at this time. They will be checked by PTO personnel later.</td></tr></tbody></table>		Confirmation Code	Message	ISVR1	Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application	ICON1	7010	ISYS5	Filename= N/A BusinessRule= Validation System/Function Call Information. #Supporting Msg:Server unable to validate the Confirmaton/Application numbers at this time. They will be checked by PTO personnel later.																
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First Named Applicant:	Paul Chahine																									
Attorney Docket Number:	AMBO-06																									
Timestamp:	2003-10-14 14:34:05 EDT																									
From:	us																									
File Listing:	<table border="1"><thead><tr><th>Doc. Name</th><th>File Name</th><th>Size (Bytes)</th></tr></thead><tbody><tr><td>us-ids</td><td>AMBO6-usidst.xml</td><td>8811</td></tr><tr><td>us-ids</td><td>us-ids.dtd</td><td>7763</td></tr><tr><td>us-ids</td><td>us-ids.xml</td><td>12026</td></tr><tr><td>package-data</td><td>AMBO6-pkda.xml</td><td>1845</td></tr><tr><td>package-data</td><td>package-data.dtd</td><td>27025</td></tr><tr><td>package-data</td><td>us-package-data.xml</td><td>19263</td></tr><tr><td colspan="2">Total files size</td><td>76733</td></tr></tbody></table>		Doc. Name	File Name	Size (Bytes)	us-ids	AMBO6-usidst.xml	8811	us-ids	us-ids.dtd	7763	us-ids	us-ids.xml	12026	package-data	AMBO6-pkda.xml	1845	package-data	package-data.dtd	27025	package-data	us-package-data.xml	19263	Total files size		76733
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Digital Certificate Holder Name:	cn=Kristi Lynn Davidson,ou=Registered Attorneys,ou=Patent and Trademark Office,ou=Department of Commerce,o=U.S. Government,c=US																									

APPLICATION SERIAL NO. 10/619,251

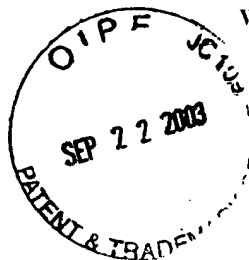
the stamp of the Patent Office hereon, may be taken as acknowledging the receipt, on the date stamped, of the following documents:

APPLICANT: Paul Chahine et al  
FILED: 7/14/03  
FOR: FLEXIBLE LINER AIR GAP PIPE

ENCLOSURES: Petition to Make Special w/Certificate of Mailing and postcard

DATE: September 18, 2003  
FILE AMBO-06-109

ATTORNEY: DSS/109  
WOOD, HERRON & EVANS, L.L.P.



# ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18  
Stylesheet Version v18.0

JUL 02 2004

Title of Invention

Flexible Liner Air Gap Pipe

Application Number: 10/619251

\*10/619251\*

Confirmation Number: 7010

First Named Applicant: Paul Chahine

Attorney Docket Number:

Search string: ( 3908372 or 2649778 or 3204666 or 3785407 or 3831636 or 3856051 or 3928903 or 4033381 or 4250928 or 4501302 or 4585059 or 4590652 or 4619292 or 4656712 or 4656713 or 4669757 or 4915121 or 5096521 or 5127441 or 5170557 or 5363544 or 5363544 or 5433252 or 5495873 or 5497809 or 5645110 or 5803127 or 5927344 or 5954371 or 6016847 or 6024135 or 6053212 or 6062265 or 6098667 or 6116287 or 6131615 or 6145545 or 6145546 or 6180954 or 6209319 or 6234163 or 6311736 or 6338365 or 6378193 ).pn.

## US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

Init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
	1	3908372	1975-09-30	Fowler et al			
	2	2649778	1953-08-25	Buffet			
	3	3204666	1965-09-07	Lindsay et al			
	4	3785407	1974-01-15	Waite et al			
	5	3831636	1974-08-27	Bittner			
	6	3856051	1974-12-24	Bain			
	7	3928903	1975-12-30	Richardson et al			
	8	4033381	1977-07-05	Newman et al			
	9	4250928	1981-02-17	Nishikawa			
	10	4501302	1985-02-26	Harwood			
	11	4585059	1986-04-29	Lee			
	12	4590652	1986-05-27	Harwood			
	13	4619292	1986-10-28	Harwood			
	14	4656712	1987-04-14	Harwood et al			
	15	4656713	1987-04-14	Rosa et al			
	16	4669757	1987-06-02	Bartholomew			
	17	4915121	1990-04-10	Rains			

	18	5096521	1992-03-17	Schouten
	19	5127441	1992-07-07	Rains
	20	5170557	1992-12-15	Rigsby
	21	5363544	1994-11-15	Wells et al
	22	5363544	1994-11-15	Wells et al
	23	5433252	1995-07-18	Wolf et al
	24	5495873	1996-03-05	Butkiewicz et al
	25	5497809	1996-03-12	Wolf
	26	5645110	1997-07-08	Nobileau
	27	5803127	1998-09-08	Rains
	28	5927344	1999-07-27	Nobileau
	29	5954371	1999-09-21	Koke et al
	30	6016847	2000-01-25	Jung et al
	31	6024135	2000-02-15	Nobileau
	32	6053212	2000-04-25	Thomas
	33	6062265	2000-05-16	Head
	34	6098667	2000-08-08	Odru
	35	6116287	2000-09-12	Gropp et al
	36	6131615	2000-10-17	Hartnagel et al
	37	6145545	2000-11-14	Hartnagel et al
	38	6145546	2000-11-14	Hardy et al
	39	6180954	2001-01-30	Verrier et al
	40	6209319	2001-04-03	Maeda et al
	41	6234163	2001-05-22	Garrod
	42	6311736	2001-11-06	Herman et al
	43	6338365	2002-01-15	Odru
	44	6378193	2002-04-30	du Chaffaut et al

Signature

Examiner Name	Date